

89-31

LETTER OF INTENT
BETWEEN
ARIZONA DEPARTMENT OF TRANSPORTATION
AND
THE CITY OF SCOTTSDALE

The purpose of this letter is to set forth the intent of the City of Scottsdale ("City") and the Arizona Department of Transportation ("State") relative to construction of improvements to Pima Road. The understanding and intent is summarized as follows:

- a. The State is committed to widening Pima Road from Via de Ventura to Thomas Road to a 40-foot wide, three lane roadway, to serve as an Outer Loop Freeway frontage road, concurrent with Outer Loop Freeway construction in this section. The widening is proposed to be along the eastern side of Pima Road and will include existing roadway resurfacing, turning lanes and necessary signal modifications at intersections, bridge widening at the Arizona Canal and any necessary modifications to the existing drainage channel along the eastern side of Pima Road.
- b. The City desires to accelerate improvement of Pima Road prior to the time frame of Outer Loop Freeway project and will widen Pima Road between Via de Ventura and Thomas Road to three lanes by constructing an additional southbound lane. Construction of the additional lane will be along the western side of existing Pima Road within the right-of-way owned by the City.
- c. The State agrees to reimburse the City for the work described in paragraph b above to the extent of the cost of the work to have been done by the State as described in paragraph a above. The State will not participate in the cost of (1) road widening currently under construction at Indian Bend Road, in the vicinity of the Pavilions shopping center, (2) enclosing the drainage channel on the western side of Pima Road, (3) constructing the sound wall along the existing frontage road, or (4) constructing curb and gutter on the western side of the widened Pima Road.
- d. Throughout construction and upon completion of the work described in paragraph a and b, the City will be responsible for maintenance of Pima Road in its entirety.
- e. Reimbursement to the City will occur at the time the State begins the paving contract for the Outer Loop Freeway, between Indian School and Indian Bend Roads.
- f. Commitments made herein by the State shall not affect the construction schedule or right-of-way requirements of this section of the Outer Loop Freeway.

Letter of Intent
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- g. The City and the State will enter into an Intergovernmental Agreement covering the improvements to be constructed by the City and the conditions of reimbursement by the State.
- h. The City's participation is contingent on its ability to fund the improvements specified in this Letter of Intent.
- i. This Letter of Intent is contingent upon the State Attorney General's review and approval.

ARIZONA DEPARTMENT OF
TRANSPORTATION

CITY OF SCOTTSDALE

by: *Charles L. Miller*

CHARLES L. MILLER
Director

by: *Jorge Carrasco*

JORGE CARRASCO
City Manager

date: 3-30-89

date: 4-19-89

ROUTE: State Route 117 August 15, 1986
PROJECTS: AZM-600-1-702 Resolution 86-09-A-60
AZM-600-1-703
HIGHWAY: NORTHEAST OUTER LOOP
SECTION: Scottsdale Rd.-Double Tree Ranch Rd.
Double Tree Ranch Rd.-McKellips Rd.
COUNTY: Maricopa
ENGINEERING DISTRICT I

JPA: 89-31

RESOLUTION TO ESTABLISH STATE ROUTE
ADOPT STATE ROUTE PLAN,
AND AUTHORIZE ADVANCE ACQUISITION

CHARLES L. MILLER, Director, Arizona Department of Transportation, has the 15th day of August, 1986, presented and filed with this Transportation Board his written report under Arizona Revised Statutes, Section 28-1864, recommending the establishment as a state route, the adoption and approval of the State Route Plan, and the advance acquisition of real property and appropriate access control for the above-referenced projects.

The area of establishment, the location of the State Route Plan, and area of the rights of way to be acquired for this project are depicted in Appendix "A" and are delineated on maps and plans for Project AZM-600-1-702 and AZM-600-1-703 and the Corridor Plans for the Northeast Outer Loop Highway on file in the office of the State Engineer, Highways Division, Phoenix, Arizona.

WHEREAS, the Department has determined that the portions of the Northeast Outer Loop as depicted in Appendix "A" should be adopted and approved as the State Route Plan for this segment of State Route 117; and

WHEREAS, there are commercial and residential developments planned in the vicinity of the project, and advance acquisition has been requested to provide for hardship situations; and

WHEREAS, advance acquisition will forestall development within the corridor, alleviate hardship situations, and provide for an orderly acquisition and relocation program; and

WHEREAS, because of these premises, this Board finds that public safety, necessity and convenience would be served by taking the action recommended by the Director; therefore, be it

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RESOLVED that the recommendation of the Director is adopted and made a part of this resolution; be it further

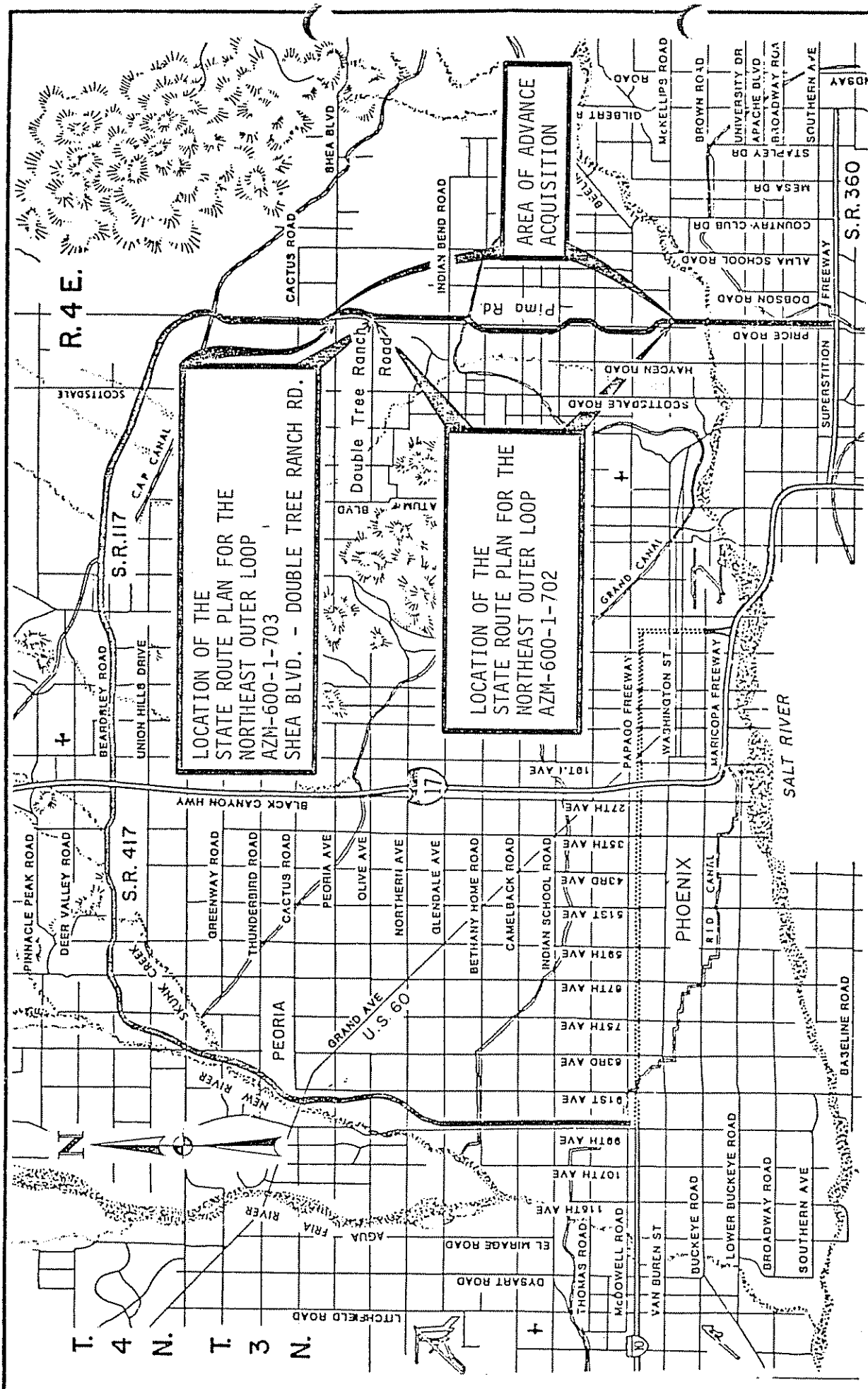
RESOLVED that the alignment for these portions of the Northeast Outer Loop as depicted in Appendix "A" is hereby established as a state route and designated State Route 117; be it further

RESOLVED that the State Route Plan for the location of the portion of the Northeast Outer Loop as depicted in Appendix "A" is hereby approved and adopted; be it further

RESOLVED that the corridor rights of way and appropriate controlled access are hereby made an integral part of State Route 117; be it further

RESOLVED that the Director is authorized to proceed with advance acquisition of real property and appropriate rights of access necessary for the construction of these portions of State Route 117, in accordance with Arizona Revised Statutes, Section 28-1865, and to acquire an estate in fee or such other interest as may be required; and be it further

RESOLVED that the Director secure the appraisals of the real property to be acquired and that necessary parties be compensated. Upon failure to acquire said real property by other lawful means, the Director is authorized to initiate condemnation proceedings.



AZM-600-1-703
 AZM-600-1-702
 NORTHEAST OUTER LOOP (S.R. 117)
 Scottsdale Rd. - Double Tree Ranch Rd.
 Double Tree Ranch Rd. - McKellips Rd.
 Maricopa County
 8-15-86 Scale: 1" = 4 Miles ±
 Sheet 1 of 1

APPENDIX "A"

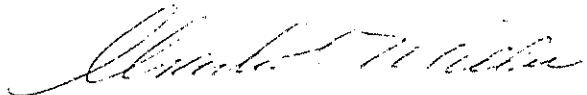
ROUTE: State Route 117
PROJECT: RBM-600-1-702
HIGHWAY: NORTHEAST OUTER LOOP
SECTION: Doubletree Ranch Rd.-
McKellips Rd.
COUNTY: Maricopa
ENGINEERING DISTRICT I

December 18, 1987
Resolution 87-12-A-110

CERTIFICATION

I, CHARLES L. MILLER, Director, Arizona Department of Transportation, do hereby certify that the foregoing is a true and correct copy from the minutes of the Transportation Board made in official session on December 18, 1987.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Transportation Board on December 18, 1987.



CHARLES L. MILLER, Director
Arizona Department of Transportation

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AZM-600-1-703
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Double Tree Ranch Rd.-McKellips Rd.
COUNTY: Maricopa
ENGINEERING DISTRICT I

REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA TRANSPORTATION BOARD:

The Department has made a thorough investigation concerning the establishment, approval and adoption of the State Route Plan, and the advance acquisition of portions of the Northeast Outer Loop within the above-referenced projects. These segments of the Northeast Outer Loop were previously adopted by the Arizona Transportation Board through a floor motion on February 3, 1978.

The Department has since conducted public location hearings for those portions of the Northeast Outer Loop, and it has been determined that the environmental and public hearing requirements have been satisfied.

The Department has determined that advance acquisition of corridor rights of way should commence in order to forestall development, alleviate hardship situations, and provide for an orderly acquisition and relocation program.

Pursuant to Arizona Revised Statutes, Section 28-1865-D, it has been determined that a reasonable need does exist for the real property located within the corridor alignment for these segments of the Northeast Outer Loop.

The area of establishment, location of the State Route Plan, and area of rights of way to be acquired for these projects are depicted in Appendix "A", and are delineated on maps and plans for Projects AZM-600-1-702 and AZM-600-1-703 and the Corridor Plans for the Northeast Outer Loop Highway on file in the office of the State Engineer, Highways Division, Phoenix, Arizona.

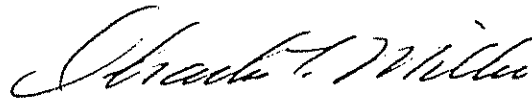
ROUTE: State Route 117
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August 15, 1986
Recommendation 86-09-A-60

I recommend that the segments of the Northeast Outer Loop, as depicted in Appendix "A", be established as a state route for the location of a future controlled access state highway and designated State Route 117. I also recommend the State Route Plan for the location of these segments be approved and adopted, and that advance acquisition of the real property and access control necessary for the construction of these portions of State Route 117 commence.

In the interest of public safety, necessity and convenience, pursuant to Arizona Revised Statutes, Section 28-1864, I recommend the adoption of a resolution making this recommendation effective.

Respectfully submitted,

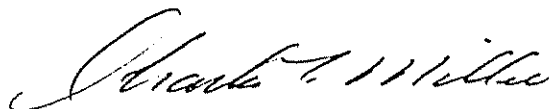


CHARLES L. MILLER, Director
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I, CHARLES L. MILLER, Director, Arizona Department of Transportation, do hereby certify that the foregoing is a true and correct copy from the minutes of the Transportation Board made in official session the 15th day of August, 1986.

IN WITNESS WHEREOF I have hereunto set my hand and the Official Seal of the Transportation Board this 15th day of August, 1986.



CHARLES L. MILLER, Director
Arizona Department of Transportation